

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:14-CR-117-1H

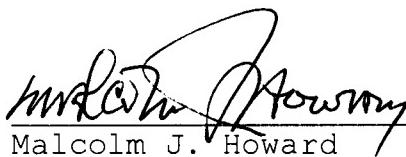
UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) ORDER ON APPEAL FROM
) MAGISTRATE JUDGE
MARTIN ROJAS-ROSAS)
)
Defendant.)

This matter is before the court on the government's appeal of Magistrate Judge Kimberly A. Swank's order of release pending sentencing. Judge Swank heard argument from counsel during the September 8, 2014, arraignment hearing regarding the government's motion for detention.

This court has reviewed an unofficial transcript of the hearing, including bench conference conversation, and is convinced that Judge Swank properly considered the requirements of 18 U.S.C. § 3143(a). The court found that defendant was not a danger to the community nor a risk of flight and ordered defendant remain on pretrial release.

Upon careful review of the matter, this court finds no error in the magistrate judge's ruling. Therefore, the oral order of September 8, 2014, is hereby AFFIRMED.

This 11th day of September 2014.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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